

CALIFORNIA ASPHALT INSIDER

The latest news and views from the California Asphalt Pavement Association

Nov. 7, 2016



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CALENDAR

(Always on-line [HERE](#))

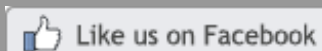
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SAVE THE DATE!

CalAPA Annual Dinner
Thursday, Jan. 19, 2017
5:30 p.m. to 9 p.m.
Jonathan Club
545 S. Figueroa St.
Los Angeles, CA
Contact Sophie You at (916)
791-5044 for sponsorship
information.

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SOCIALIZE



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Greetings!

This weekly bulletin contains the latest news and information of interest to the asphalt pavement industry in California. Please feel free to distribute this newsletter to others who may be interested in asphalt pavements.

→ [In focus: State panel on carcinogens conducts review of asphalt](#)

The state agency that oversees implementation of Proposition 65, the state's landmark toxic substances reporting law, has scheduled an initial review of paving asphalt as part of its "prioritization" process that could lead to further study or possibly listing on the state's toxics list.

A hearing of the "Carcinogen Identification Committee" is scheduled for Nov. 15 in Sacramento. CalAPA, joined by the National Asphalt Pavement Association and the Asphalt Institute, have responded to the call for public comments in advance of the hearing. A copy of the official industry letter is [HERE](#). CalAPA, NAPA and the Asphalt Institute representatives will attend the hearing and provide testimony.

The letter presented to the CIC on behalf of the asphalt pavement industry, filled with citations of numerous scientific studies, concludes that "over the past three decades of scientific and regulatory agency review, there has been no indication of a human or animal carcinogenic effect from exposure to Paving Asphalt Emissions."

The review comes on the heels of an exhaustive evaluation conducted by the International Agency for Research on Cancer (IARC), which in 2013 placed asphalt in a broad category of substances that includes everyday items such as coffee and cell phones. CalAPA and other state asphalt pavement associations contributed to a pooled fund that supported the multi-year response to the IARC review.



The Carcinogen Identification Committee (CIC) is a panel of scientists appointed by the governor who advise the Office of Environmental Health Hazard Assessment (OEHHA, pronounced "oh-'EE-ha"). OEHHA is the lead state agency tasked with implementing Proposition 65, California's toxic substance reporting law.

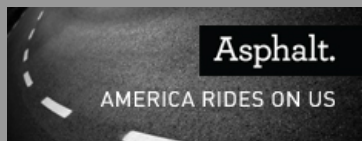
The CIC "prioritization" hearing is the first step in a very deliberative process that is intended to help the state focus its resources on reviewing and possibly adding to the state's toxic lists substances that may be linked to cancer or reproductive harm. No listing decisions on asphalt will be made at the Nov. 15 meeting. Rather, the CIC is expected to recommend that paving asphalt be a "low," "medium" or "high" priority for further evaluation and possible listing. that would trigger further review and hearings.

The asphalt pavement industry contends that asphalt has been exhaustively studied and does not be prioritized at all, or if it is given a



CHOOSE ASPHALT

Asphalt is used on about 94 percent of paved roads in America. Why? Because it's smooth, quiet, safe, durable and 100 percent recyclable. Visit the [Asphalt Pavement Alliance](#) website learn more about why asphalt is the right choice now more than ever.



GET TECHNICAL

Are you an engineer, designer or technical professional who makes decisions on pavement type selection? The DriveAsphalt website has technical reports and other resources may be just what you're looking for. Click [HERE](#) for more information.



CalAPA

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priority, is should be "low."

The CalAPA Environmental Committee has helped guide the association's response to the CIC hearing, and retained the services of two expert toxicologists to advise the association on how best to respond to the CIC. The considerable expertise of NAPA and the Asphalt Institute also have been brought to bear, including the active participation of Howard Marks, Ph.D., NAPA's Vice President of Environment, Health & Safety, and Paul Sohi, Ph.D, director of Health, Safety and Environment for the Asphalt Institute.

In 1986, California voters passed a statewide initiative called the "Safe Drinking Water and Toxic Enforcement Act," but widely known by its ballot designation, Proposition 65. It was intended to provide consumers with information on substances they may be exposed to that could possibly cause cancer, birth defects or other reproductive harm.

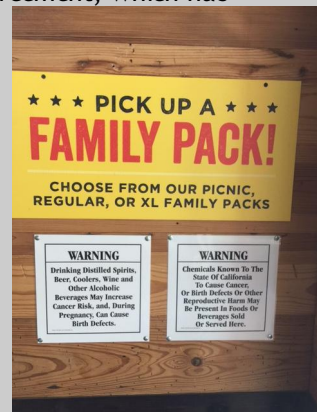
The state Office of Environmental Health Hazard Assessment (OEHHA), part of CalEPA, oversees implementation of Proposition 65 and its published list of naturally occurring or synthetic chemicals, which has grown over the years to more than 800 substances.

Proposition 65 contains a right of public enforcement, which has spawned a cottage industry of lawsuits targeted at various industries that by one estimate have racked up more than \$26 million in settlements. The California Attorney General's office recently estimated that 68 percent of the money collected went to lawyers. Even Gov. Jerry Brown, a liberal Democrat who often touts his commitment to environmental protection, has called for reform of Proposition 65 and "ending frivolous 'shake-down' lawsuits."

The asphalt pavement industry, led by CalAPA, spearheaded one such settlement agreement in 2006 in part to provide some protection from such lawsuits. CalAPA members should consult previous "Member Alerts" on this topic for more information.

The threat of lawsuits has also led to the proliferation of the ubiquitous Proposition 65 warning signs that can be found on everything from amusement parks and restaurants to food labels.

CalAPA will continue to lead the effort to respond to the CIC review and will report further developments to its membership. To read the official CIC notice, click [HERE](#). A broadcast of the hearing will be streamed live via the CalEPA website. For a broadcast schedule, click [HERE](#). Questions may be directed to Russell Snyder at (916) 791-5044.



Two Prop. 65 warning labels on display at a Northern California restaurant, similar to thousands of other notices posted around the state.

→ Tech Term of the Week

Each week we highlight a word, acronym or other reference commonly used in the asphalt pavement industry in California.

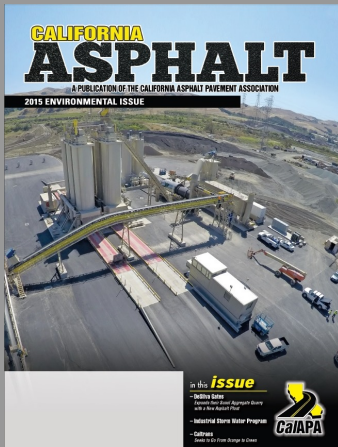
COLD MILLING: A process of removing pavement material from the surface of the pavement either to prepare the surface to receive overlays (by removing rutting, and surface irregularities) or to restore

(916) 791-5044 (phone)

BACK ISSUES

Did you miss an issue of the *California Asphalt Insider*? No problem! Past editions of the newsletter are available at the CalAPA newsletter [archive page](#)

MAGAZINE



CalAPA produces a highly regarded magazine, *California Asphalt*, and an annual membership directory. To view current and past issues of the magazine, click [HERE](#).

For advertising sales information, click [HERE](#) or call Kerry Hoover with Construction Marketing Services at (909) 772-3121.

STAY INFORMED



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pavement cross slopes and profile. Also used to remove oxidized asphalt concrete.

→ Quote of the Week

"We are what we do most, therefore perfection is not a coincidence but a habit."

Laura Moncur

We hope you enjoy CalAPA's *Asphalt Insider*. We are committed to providing you with the most up-to-date information on technical issues, regulation, news and events in California that may impact the asphalt pavement industry. Click [HERE](#) to contact us with any comments or suggestions.

Sincerely,

Russell W. Snyder, CAE
Executive Director
California Asphalt Pavement Association (CalAPA)

An infographic with a black background. On the left, there are several stacks of green banknotes. To the right, the text reads '\$2.8B' in large yellow font, followed by 'In 2014, reused asphalt materials, saved taxpayers more than \$2.8 billion.¹' in white. At the bottom right is the APA logo (Asphalt Pavement Alliance) and the website 'DriveAsphalt.org'.

View the full infographic [HERE](#).

An infographic with a black background. On the left, there are several stacks of green banknotes. To the right, the text reads '\$3.5B' in large yellow font, followed by 'By 2020, the USDOT estimates the use of Warm-Mix Asphalt will save more than \$3.5 billion by reducing the amount of energy needed to produce asphalt mixes.⁵' in white. At the bottom right is the APA logo (Asphalt Pavement Alliance) and the website 'DriveAsphalt.org'.

WATCH

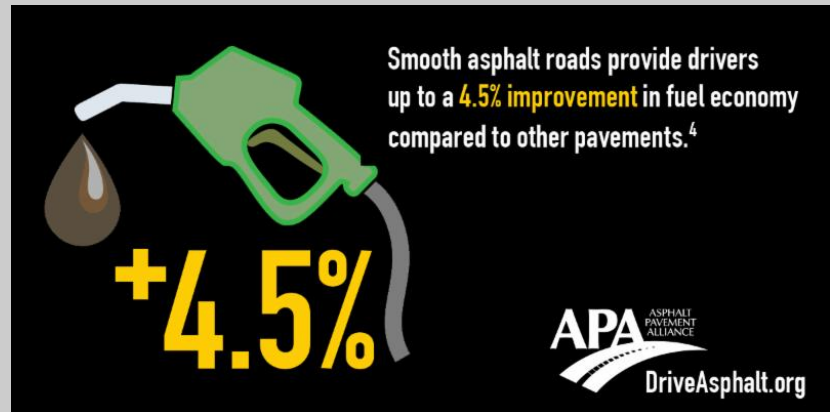


Click [HERE](#) to visit our video page.

DESIGN!



View the full infographic [HERE](#).



View the full infographic [HERE](#).

The *California Asphalt Insider* is an official publication of the California Asphalt Pavement Association. For more information or to inquire about membership, call (916) 791-5044, or click [HERE](#) to send us an e-mail.

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